THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 12712 OF 2007

DATED: 19-06-2007

Between :

T.Vanamal Reddy

… Petitioner

And

The Joint Collector,
Nalgonda District and 2 others.

... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 12712 OF 2007

ORDER :

The authorisation of the petitioner, who is the authorized dealer of the fair price shop of Ramanthapur village, Gundlapally Mandal, Nalgonda District, was suspended pending enquiry vide proceedings of the second respondent dated 01-02-2007. Aggrieved by the same, the petitioner preferred an appeal before the first respondent. The said appeal was disposed of by order dated 28-02-2007 with a direction to the second respondent to issue show cause notice and dispose of the case within four weeks. Pursuant thereto, though a show cause notice was issued on 23-03-2007, the second respondent failed to proceed further. Hence, this writ petition contending *inter alia* that the action of the second respondent in not concluding the enquiry which resulted in continuing the petitioner under suspension indefinitely in spite of the orders of the first respondent is arbitrary, illegal apart from being contrary to the law laid down by this Court in ***D.Sambasiva Rao v. Joint Collector, Guntur***[1].

I have heard the learned counsel for the petitioner and the learned Government Pleader for the Civil Supplies appearing for the respondents.

As could be seen from the material on record, the authorisation of the petitioner was suspended about five months ago. Though the first respondent-appellate authority directed that

the enquiry should be completed within four weeks, no explanation is forth coming from the respondents as to why the enquiry has not yet been concluded.

Under similar circumstances, a Division Bench of this Court in ***The Joint Collector, Kurnool v. A.Neelima***[2] held that the reasonable period for completing the enquiry initiated against the fair price shop dealer should be 90 days.

In the circumstances, I deem it appropriate to dispose of the writ petition with a direction to the second respondent to complete the enquiry initiated against the petitioner as expeditiously as possible preferably within a period of two weeks from the date of receipt of a copy of this order, failing which the authorisation of the petitioner shall stand restored. No costs.

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G. ROHINI, J

Date 19-06-2007
KLP

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[1] 2005 (1) ALD 847

[2] 1996(1) APLJ 285